

2.6 Public Services

The previously certified EIR for the East Otay Mesa Specific Plan (EOMSP) identified significant and mitigable impacts to Public Services and Utilities. For the purposes of analysis in this SEIR, public services are defined as fire protection, police protection, public schools, and public libraries; and are discussed below. Utilities and service systems are defined as water, sewer, stormwater and solid waste services. Project impacts to utilities and service systems are discussed in Section 3.1.4 of this SEIR.

2.6.1 Existing Conditions

2.6.1.1 Fire Protection Services

Fire protection services to the Project site are provided by the San Diego Rural Fire Protection District. Fire protection service would be provided by one of two fire stations located in the vicinity of the Project site. Primary fire protection services would be provided by the Otay Mesa Station, located at 413 Alta Road, approximately 2.9 miles north of the site. The Otay Mesa Station is staffed year-round with seven on-duty personnel, and is equipped with one Type 1 engine (structure engine) and one Type 111 engine (brush engine). Secondary fire protection services would be provided by the Donovan Prison Station, located at 480 Alta Road, approximately 1.5 miles north of the site.

2.6.1.2 Police Protection Services

The San Diego County Sheriff's Department provides police protection services for the Project area. Police protection services for the East Otay Mesa community are currently provided from the San Diego County Sheriff's Department Imperial Beach Station. The Imperial Beach Station is located at 845 Imperial Beach Boulevard, in the City of Imperial Beach, approximately 12.6 miles northwest of the Project site. The Imperial Beach Station serves a population of approximately 50,000 people, with approximately 44 sworn law enforcement personnel.

Specifically, the Project site is located within Beat #726 of the Sheriff's service area, which also includes the unincorporated communities of Bonita, Sunnyside, Lincoln Acres, Proctor Valley, San Miguel Mountain, Otay Valley and Otay Mesa. Two deputy positions per shift are assigned to patrol Beat #726. Response times for Beat #726 do not meet acceptable levels, as established by the San Diego County General Plan Public Facilities Element (*i.e.*, eight minutes for priority calls and 16 minutes for non-priority calls).

2.6.1.3 Public Schools

The Project site is located within the service boundaries of the San Ysidro Elementary School District and the Sweetwater Union High School District.

2.6.1.4 Libraries

The Project site is located within the San Diego County Public Library service area; however, there are no San Diego County branch libraries within the vicinity of the Project site. There are two City of San Diego public library branches located in the vicinity of Project site and eligible to serve the Project site: the San Ysidro Branch Library and the Otay Mesa Branch Library. The San Ysidro Branch Library is located approximately 11 miles west of the site at 101 West San Ysidro Boulevard,

in the City of San Diego, and the Otay Mesa Branch Library is located approximately 10 miles northwest of the site at 3003 Coronado Avenue, in the City of San Diego.

2.6.2 Analysis of Project Effects and Determination as to Significance

2.6.2.1 East Otay Mesa Specific Plan Final EIR

The Final EIR for the EOMSP concluded that implementation of the EOMSP would result in significant but mitigable impacts to public services. Specifically, the EOMSP Final EIR indicates that implementation of the EOMSP would generate new demand for fire protection and emergency services that did not exist at the time. However, the Final EIR also concluded that development within the EOMSP would not be allowed until appropriate temporary or permanent facilities are constructed and operational; as such, impacts were described as less than significant.

The EOMSP also indicated that implementation of the EOMSP would generate additional demand for police protection services in an area that did not, at the time, meet acceptable standards. However, as with fire protection services, such impacts were evaluated as less than significant because the Specific Plan does not allow for development until adequate services are available.

The EOMSP EIR also disclosed potential impacts to the issue areas of “Schools,” “Libraries,” and “Parks and Recreation.” However, as the current Project does not propose any residential uses, the analysis within these sections does not pertain to the proposed Project.

Since approval of the EOMSP in 1994, there have been a number of changes to the planned and/or operational public services within the EOMSP area. The proposed Project site has since been annexed into the Rural Fire Protection District (LAFCO, June 23, 2008). Although the EOMSP included a future Sheriff’s Station site to serve the area, to date no facility has been constructed and response times remain inadequate to serve the proposed Project. Based on these changed circumstances, the County of San Diego has determined that a supplemental analysis of potential public services impacts is necessary to adequately identify, disclose, and mitigate for impacts that could result from Project implementation.

2.6.2.2 Public Service Impacts

Guidelines for the Determination of Significance

The Project would have a significant adverse effect on public services if the following would occur as a result of a Project-related component:

- (1) The proposed project would result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could result in significant environmental impacts, in order in order to maintain acceptable service ratios, response times or other performance objectives for any of the following services: fire protection, police protection, or other public facilities?*

Threshold 1 evaluates the Project’s potential to cause physical environmental impacts resulting from the construction of new or expanded public facilities, including police protection and fire protection

facilities, The construction of new or expanded facilities could result in significant direct and indirect impacts to the environment in the short- and/or long-term.

Analysis

Fire Protection Services

According to the Project's Fire Service Availability form (see Appendix J), the San Diego Rural Fire Protection District has adequate facilities available to serve the Project site. Primary fire protection services would be provided by the Otay Mesa Station, which has an estimated response time of five minutes to the Project site. A five minute response time would be consistent with the emergency response travel time objective for industrial and commercial development, as established by the Public Facilities Element of the County General Plan. Because the proposed Project is located within an area that can be serviced with acceptable response times, implementation of the Project would not result in the need to construct a new fire station or physically alter an existing station. Accordingly, impacts to fire protection services would be less than significant.

Police Protection Services

Due to the current lack of both interim and long-term sheriff's facilities in East Otay Mesa, police response times to the Project area do not meet minimum response time requirements established by the County General Plan in the existing condition. The Project proposes to subdivide the property to allow for the future development of 59 industrial lots. Ultimate development of the Project site would require increased police protection services (*i.e.*, a new temporary or permanent facility and additional personnel) to meet County General Plan and EOMSP requirements (**Significant Direct Impact PS-1**).

In response to the existing service deficiency in East Otay Mesa, and to ensure adequate police protection service for the future buildout of the EOMSP and the planned U.S. Port of Entry, the County Sheriff's Department is planning for a long-term law enforcement facility in East Otay Mesa (see Appendix J). Based on the planned land uses in East Otay Mesa, and the corresponding demand for police protection services, the County's Sheriff's department anticipates that an additional 11 sworn field personnel would be required to provide sufficient law enforcement services in conformance with General Plan requirements. In addition, a new 6,000 square-foot substation on an approximate 1.5-acre parcel would be required to meet the facility demands of the additional field personnel. Long-term operation of a new East Otay Mesa sheriff substation would meet the demand for police protection services in the East Otay Mesa area and would be consistent with the requirements established by the County General Plan. However, until such a time that the permanent facility is constructed and fully operational, an interim sheriff's facility would be necessary to ensure adequate response times within the Project area.

As of the writing of this SEIR, East Otay Mesa landowners are in the process of working with the County Department of Planning and Land Use and County Counsel to develop an appropriate funding mechanism for the design and construction of both an interim and future Sheriff's substation. It is anticipated that East Otay Mesa landowners will fund the design and construction of the interim and permanent substation and also will provide a location for the substation. The interim substation is located at the southeast corner of Otay Mesa Road and Enrico Fermi Drive, approximately 0.75-mile northwest of the Project site. Although a final location for the proposed permanent substation had not been identified, East Otay Mesa landowners have identified a prospective site at the

northwest corner of Enrico Fermi Drive and Lonestar Road. Funding for staffing and operations of this future substation would be identified within the County Sheriff's Department budget.

Public Schools

The Project site would be developed with industrial/commercial land uses; no residential land uses are proposed as part of the Project. Therefore, implementation of the Project would not generate a population requiring public education services. Accordingly, the proposed Project would not place demand on existing schools and would not result in the need to construct a new school or physically alter an existing school. Thus, implementation of the Project would result in no impact to public education services.

Public Libraries

The Project site would be developed with industrial/commercial land uses; no residential land uses are proposed as part of the Project. Therefore, implementation of the Project would not generate a population requiring public library services. Accordingly, the proposed Project would not place a demand on existing library branches and would not result in the need to construct a new library or physically alter an existing library. Thus, implementation of the Project would result in no impact to public library services.

2.6.3 Cumulative Impact Analysis

2.6.3.1 Cumulative Impacts Identified by the EOMSP Final EIR

The EOMSP Final EIR (1994) identifies potentially significant cumulative impacts due to new demand for public schools. No additional cumulative impacts were identified for the issue of Public Services.

2.6.3.2 Project-Specific Cumulative Impact Analysis

A study area was defined in order to assess the cumulative effect of the Project's impacts to public services. The resulting study area encompassed the County of San Diego and City of San Diego portions of the Otay Mesa Community, in order to account for any possible overlap in the provision of public services or any mutual aid agreements in place for the provision of public services. Mutual aid agreements in effect between the City of San Diego and the County of San Diego allow for the sharing of police and/or fire protection services in the event of substantial events affecting public safety, such as a large fire. Figure 2.6-1, *Cumulative Study Area – Public Services*, depicts the cumulative study area and identifies all of the projects considered in the cumulative impact analysis.

Research was conducted which resulted in a list of 37 past, present, and reasonably foreseeable projects within the study area, that might have potential impacts on public services. EIR Section 1.7 provides a summary of all the projects that were considered along with their identified impacts to each of the environmental issue areas addressed by this EIR. As identified in EIR Table 1-7, *Cumulative Projects CEQA Summary*, three projects within the cumulative study area have the potential to result in significant public services impacts associated with the provision of police protection services, although it is possible additional projects in the study area may identify significant public service impacts once the environmental analysis for those projects is completed. Additional projects are identified in Table 1-7 as having impacts to school and library facilities; however, as noted above, the proposed Project proposes only mixed industrial land uses which would

produce no demand for additional educational or library facilities; as such, a cumulatively significant impact would not occur related to those facilities.

The remaining projects identified in Table 1-7 did not identify any significant impacts related to the provision of police or fire services because the local Lead Agencies determined that these projects could be served based on existing or planned facilities, equipment, and staff. Nonetheless, because the proposed Project is located in an area with inadequate police response times, Project implementation has the potential to increase the demand for police protection services beyond what was evaluated and disclosed as a part of the CEQA review for each of the projects listed in Table 1-7. Implementation of the Project, in conjunction with reasonably foreseeable land uses in East Otay Mesa, would require an additional 11 sworn field personnel and a new 6,000 square-foot substation on an approximate 1.5-acre parcel in the East Otay Mesa area in order to meet General Plan requirements for police protection services. In the absence of a new sheriff's substation in the Project area to serve the Project and other planned or existing developments, Project implementation would contribute to an increased demand for police protection services that cannot be accommodated by existing facilities. Service demands placed on the County Sheriff's Department would be considered significant, and construction and long-term operation of the planned sheriff's substation in East Otay Mesa could result in significant impacts to the environment (**Significant Direct and Cumulative Impact PS-1**).

With respect to fire protection services, cumulative demand placed on fire protection services would not require the physical alteration of existing facilities or the construction of new facilities in order to maintain existing service levels. This is because the Project area already is served by the Otay Mesa Station, and the San Diego Rural Fire Protection District has indicated that it has adequate facilities available to serve the Project site when considered in the context of past, present, and reasonably foreseeable developments within its service area. As such, implementation of the proposed Project would not require the construction or expansion of any fire protection facilities which could result in impacts to the environment; accordingly, Project implementation would not result in a cumulatively significant impact to fire protection services and facilities.

2.6.4 Significance of Impacts Prior to Mitigation

Significant Direct and Cumulative Impact PS-1: Ultimate development of the Project site, as well as in conjunction with buildout of land uses planned by the EOMSP, would contribute to the need for a new sheriff substation and 11 additional field personnel.

2.6.5 Mitigation

2.6.5.1 Mitigation Measures from the EOMSP Final EIR

Mitigation measures were identified by the EOMSP Final EIR (1994) to address impacts to Public Services which could result from implementation of the EOMSP. It should be noted that the following list excludes mitigation requirements associated with impacts to schools, as the proposed Project does not propose any residential uses and thus would have no impact on school services.

11D. The County shall continue its efforts to site landfill facilities in South Bay.

The above-listed mitigation measure is no longer necessary to reduce Project impacts to solid waste facilities to less than significant levels. Since certification of the EOMSP Final EIR, the County has

identified a new regional facility, the Gregory Canyon Landfill, and also plans to expand the Sycamore Canyon Landfill. The construction and expansion of these facilities would result in excess landfill capacity of approximately 140.8 million tons in the year 2017¹. Therefore, the above-listed mitigation measure has been implemented by San Diego County, and no additional mitigation is necessary to ensure that adequate landfill capacity exists to serve the proposed Project and all past, present, and reasonably foreseeable development throughout San Diego County.

2.6.5.2 *Project-Specific Mitigation*

M-PS-1 **Law Enforcement Services: [DPLU, REG] [Sheriff] [BP, GP, IP, UO] [DPLU Fee]**

Intent: In order to provide adequate law enforcement services in compliance with the County General Plan and the Public Facilities Element (Section 2.4.7) of the East Otay Mesa Specific Plan, a Sheriff's Substation facility shall be established. **Description of Requirement:** Establishment of a Sheriff's Substation facility shall include the following:

- a. Permanent Sheriff Substation. Either alone or in conjunction with other developers similarly conditioned,
 - 1) Acquire and dedicate to the County of San Diego, or obtain an irrevocable commitment for conveyance to the County, at no cost to the County, a parcel of land suitable in size, location and configuration for a Sheriff's Substation to satisfaction of the County of San Diego Sheriff's Department.
 - 2) At such time as the Sheriff's Department determines that the Permanent Sheriff Substation is needed, obtain all required discretionary and ministerial permits for and construct or provide a permanent building of approximately 6,000 square feet and associated improvements determined to be necessary and adequate by the County of San Diego Sheriff's Department for a "turn key" Sheriff's Substation facility. The associated improvements include, but are not limited to, building and building fixtures, tenant improvements suitable for a Sheriff substation, signage, office furniture, security systems, parking, landscaping, lighting, fencing, and all utility and service connections. The associated improvements shall not include office equipment such as computers, printers, telephones, or radio equipment. Program requirements for the substation facility shall be provided by the County. Developer shall obtain County's approval of the design and specifications prior to construction of the substation facility.
- b. Interim Sheriff Substation. Either alone or in conjunction with other developers similarly conditioned, until such time as a permanent facility, satisfactory to the Sheriff's Department, is ready for occupancy, provide a temporary site and facility (e.g., an office trailer or equivalent with appropriate fixtures and office furniture) suitable to accommodate Sheriff Department personnel, vehicles and equipment. The

¹ San Diego County, January 5, 2005. *San Diego County Integrated Waste Management Plan – Countywide Siting Element*, Page SE 9. Available on-line at:
<http://www.scdcpw.org/siting/pdf/San%20Diego%20County%20Siting%20Element%202005.pdf>

capital costs of this temporary facility shall be provided at no cost to the County of San Diego.

- c. **Financing Mechanism.** Create and participate in a financing mechanism (e.g., a facilities district) determined to be sufficient by the County of San Diego to fund the construction of both the interim Sheriff's Substation and the permanent Sheriff's Substation, including, but not limited to, the land acquisition costs associated with the permanent Substation, development costs associated with both Substations, any land rental costs associated with the interim Substation, and costs of formation of the facilities district.

Documentation: The applicant shall provide documentation to the Department of Planning and Land Use that either alone or in conjunction with other developers similarly conditioned, the applicant has caused: 1) a financing mechanism to be in place and has further committed to pay the applicant's project's fair share of the financing to fund and construct a turn-key, permanent Sheriff's Substation facility, and an interim, temporary Sheriff's Substation facility; 2) a parcel of land to be acquired and dedicated to the County of San Diego as the permanent site for the required Sheriff's Substation or a parcel of land to be under contract for conveyance to the County of San Diego at no cost to the County subject only to the payment of an agreed upon purchase price by the financing mechanism established by (c) above; and 3) a permanent or temporary turn-key Sheriff's Substation facility to be available for use. **Timing:** Prior to occupancy or use and reliance of the premises pursuant to this Use Permit or Site Plan [or, in the case of a tentative map, prior to recordation of the Final Map], the Sheriff's Substation shall be available for use in accordance with the above requirements. **Monitoring:** The DPLU and Sheriff's Department shall review the submitted documentation. If, upon review, the DPLU and the Sheriff's Department determine the documentation demonstrates conformance with this condition, the DPLU and Sheriff's Department shall approve the documentation and deem the condition satisfied.

2.6.6 Conclusion

The following provides a summary of the significance of the impact identified above under Section 2.6.4 after incorporation of the mitigation measures identified under Section 2.6.5.

School and Library Services: As noted above in Section 2.6.2.2, implementation of the proposed Project would not result in any significant impacts to school or library services because the Project includes only mixed industrial uses which would not generate a demand for such services.

Fire Protection Services: As discussed above in Section 2.6.2.2, no impact to fire protection services would occur because the San Diego Rural Fire Protection District has adequate facilities available to serve the Project site and all past, present, and reasonably foreseeable development within the area. As such, implementation of the proposed Project would not result in the need for new or expanded facilities, the construction of which could result in significant environmental effects.

Significant Direct and Cumulative Impact PS-1: Implementation of Mitigation Measures M-PS-1 would reduce the Project's direct and cumulative impact to police protection services to below a level of significance. Impacts associated with the construction of the temporary or permanent sheriff's

facility will require subsequent review under CEQA once a temporary or permanent location is identified.

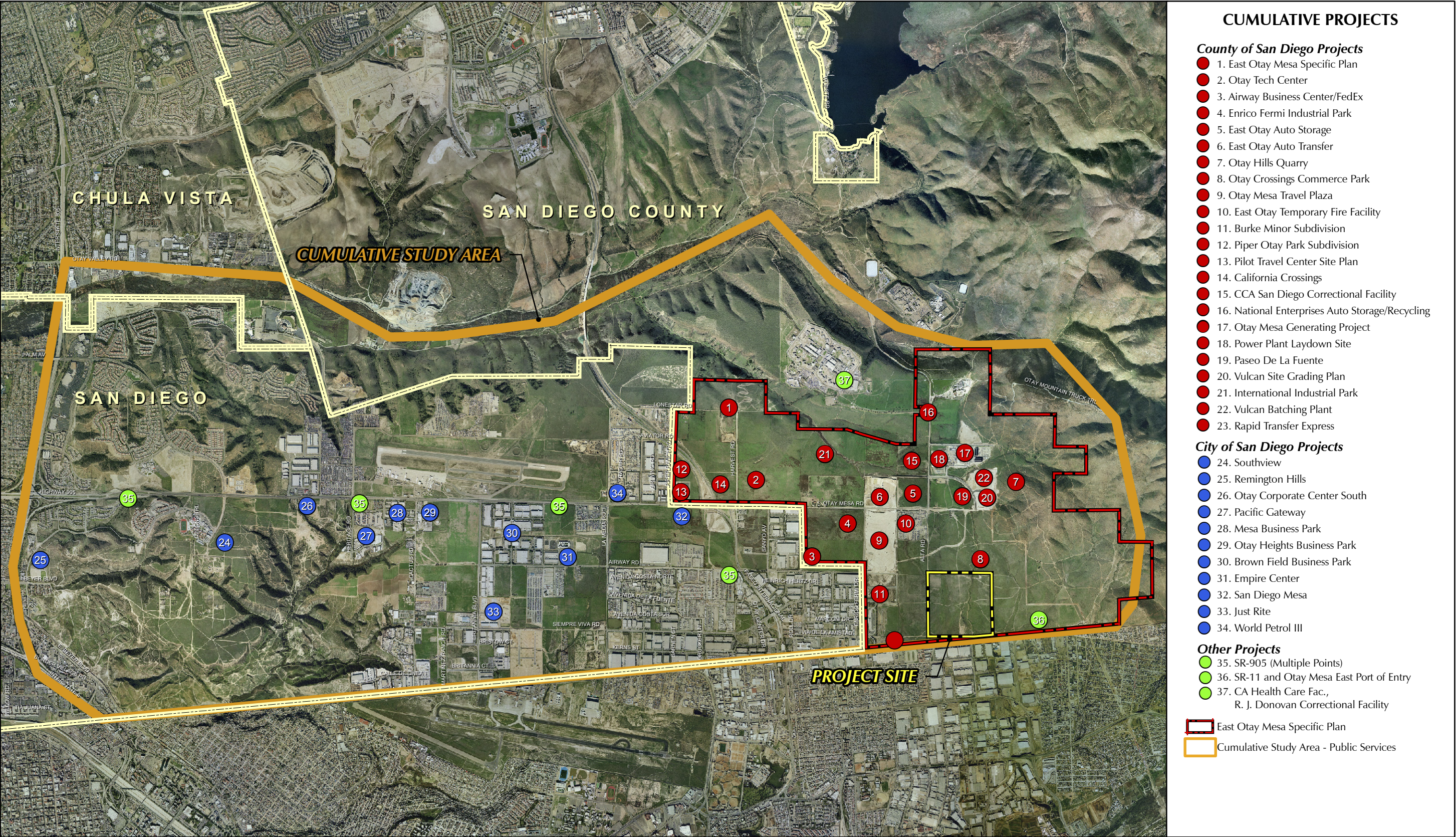


FIGURE 2.6-1
Cumulative Study Area - Public Services